

bcc: Richard Murawski, ORC C-14J
Verneta Simon, OSC SE-5J
John Maritote, EESS SE-5J
Sally Jansen, EESS SE-5J
Denise Battaglia, Public Affairs P-19J
Records Center SMR-7J



**CALUMET CONTAINERS SITE
HAMMOND, LAKE COUNTY, INDIANA**

NO RESPONSE FOLLOW-UP INFORMATION REQUEST

Sent to: Bagcraft Corporation
Berlin Industries, Inc. (fka I.S. Berlin)
City of Hammond
Industrial Fuel & Asphalt of Indiana, Inc.
Kohl & Madden
Peacock Colors, Inc.
Torco Oil Company

Date sent: APR 23 2004



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 23 2004

REPLY TO THE ATTENTION OF:

Calumet Container Site
SE-5J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Calumet Containers Site, Hammond, Lake County, Indiana
Nonresponse to March 22, 2004, Information Request

Dear Madam or Sir:

On March 22, 2004, the United States Environmental Protection Agency (U.S. EPA) issued an information request to your company or municipality pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended, 42 U.S.C. §9604(e). The information request was served by certified mail (see enclosed copy of certified mail card) and required your company or municipality to provide certain documents and information within 21 days of receipt of that information request.

Although the deadline for your response has passed, U.S. EPA has not received any response to the information request. U.S. EPA therefore requests that you comply immediately with that information request. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR 2.203 (b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures, provided in 40 CFR Part 2, Subpart B. If no such claim accompanies the information when it is received by U.S. EPA, it may be made available to the public by U.S. EPA without further notice to your company. To assist you with your response, U.S. EPA is enclosing a copy of the 1989 affidavit of John Jagiella, former owner of Calumet Containers Corporation, in which he states that he did business with your company or predecessor company, or municipality.

Continued failure to comply with U.S. EPA's information request, or to adequately justify such failure to respond, may subject your company to an enforcement action seeking to compel compliance and collect penalties of up to \$32,500 per day of noncompliance pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5) and as adjusted by 69 Fed. Reg. 7121-27 (Feb. 13, 2004) (codified at 40 C.F.R. § 19.4) pursuant to the Debt Collection Improvement Act of 1996.

U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

Please contact Richard Murawski, Assistant Regional Counsel, at (312) 886-6721 if you have any legal questions regarding this matter. All other questions should be directed to Sally Jansen, Emergency Enforcement Support Section, at (312) 353-9046. You may fax your response to Ms. Jansen at (312) 886-0753, but if you choose to do so, please call her to alert her at the time you actually send the fax to ensure that she personally receives it. You should also send the original response through the mail to her attention.

Sincerely yours,

Card Rep'd for WM

William D. Messenger, Chief
Emergency Enforcement Support Section